

RECEIVED
CENTRAL FAX CENTER

MAR 02 2007

PATENT
YOR919980308

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of	:	Hedrick, et al.
Serial Number	:	09/129,737
Filing Date	:	August 5, 1998
Examiner	:	Shewaregard, B.
Group Art Unit	:	1774
For	:	CHEMICALLY AND OPTICALLY STABLE CARBON FILMS

TO: The Honorable Commissioner
Of Patents and Trademarks
Post Office Box 1450
Alexandria, VA 22313-1450

RESUBMISSION OF PETITION

Sir/Madam:

Applicants hereby resubmit the attached PETITION for consideration by the Petitions Branch of the United States Patent and Trademark Office. This petition was submitted on 02/09/2005 and no action thereon was ever received. A cover of the "Auto Reply Facsimile Transmission" is attached to substantiate that the papers were filed. An administrator in the Petitions Branch stated that, according to the records in that office, the submission was never received.

The authorization to charge is found in the PETITION as originally filed and is hereby reaffirmed.

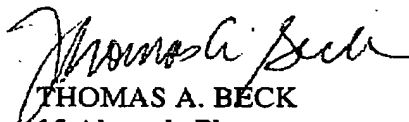
Best Available Cop.

RECEIVED
CENTRAL FAX CENTER

MAR 02 2007

Please address all future correspondence on this matter to the undersigned at 15 Alameda Place, Mount Vernon, NY 10552.

Respectfully Submitted,



THOMAS A. BECK
15 Alameda Place
Mount Vernon, NY 10552
(860) 921-1358

I hereby certify that this submission is being telefaxed via telefacsimile to (571) 273-8300 on the date indicated below addressed to Commissioner of Patents & Trademarks, Post Office Box 1450, Alexandria, VA 22313-1450

Date:  March 1, 2007

USPTO
TO: Auto-reply fax to 860

2/9/2005 4:56 PM PAGE 1/001 Fax Server
21 0700 COMPANY:

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 860 210 0700

Fax Information

Date Received:

Total Pages:

2/9/2005 4:49:08 PM [Eastern Standard Time]
12 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

Feb 09 2005 4:48PM Law Offices of Thomas R. Beck 210-0700 P. 3

PATENT
YOR919980306LUSI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Hendrick, et al.
Serial Number : 09/129,737
Filing Date : August 5, 1998
Examiner : Showwaged, B.
Group Art Unit : 1774
For : CHEMICALLY AND OPTICALLY
STABLE CARBON FILMS

TO: The Honorable Commissioner of Patents
and Trademarks
Post Office Box 1450
Alexandria, VA 22313-1450

PETITION

This petition is filed pursuant to 37 CFR 137 to revive the above-identified application, which Applicants' attorney has been advised has been abandoned for failure to pay the issue fee.

Applicants' attorney received a telephone call from the Intellectual Property Group of Assignee asking for a status check on the above-identified application as a part of their on-going file management system. Applicants' attorney checked his files and found that the most recent paper in the file is dated December 19, 2000, and the most recent activity in the prosecution of this case was Applicants' filing of three figures comprising the formal drawings in the case. There are no other later-received papers present in the file.

Applicants' attorney then contacted Examiner: Detele at Showwaged, the Examiner responsible for this application on February 8, 2001 and she advised Applicants' attorney that the case had been abandoned for failure to pay the final fee.

Applicants' Attorney, the undersigned, has received no such notice of abandonment, but is promptly filing this petition the same day he was advised that the application was abandoned.

RECEIVED
CENTRAL FAX CENTER

MAR 02 2007

PATENT
YOR919980308US1IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Hedrick, et al.
Serial Number	:	09/129,737
Filing Date	:	August 5, 1998
Examiner	:	Shewareged, B.
Group Art Unit	:	1774
For	:	CHEMICALLY AND OPTICALLY STABLE CARBON FILMS

TO: The Honorable Commissioner of Patents
and Trademarks
Post Office Box 1450
Alexandria, VA 22313-1450

PETITION

This petition is filed pursuant to 37 CFR 137 to revive the above-identified application, which Applicants' attorney has been advised has been abandoned for failure to pay the issue fee.

Applicants attorney received a telephone call from the Intellectual Property Group of Assignee asking for a status check on the above-identified application as a part of their on-going file management system. Applicants' attorney checked his files and found that the most recent paper in the file is dated December 19, 2000, and the most recent activity in the prosecution of this case was Applicants' filing of three figures comprising the formal drawings in the case. There are no other later-received papers present in the file.

Applicants attorney then contacted Examiner Betelhem Shewareged, the Examiner responsible for this application on February 8, 2005 and she advised Applicants' attorney that the case had been abandoned for failure to pay the final fee.

Applicants' Attorney, the undersigned, has received no such notice of abandonment, but is promptly filing this petition the same day he was advised that the application was abandoned.

Thomas A. Beck, the undersigned declares as follows in support of this petition:

1. I am attorney of record in the above-identified application and have received other papers from the United States Patent and Trademark Office at the address listed below. I did have a prior address of record of 15 Alameda Place, Mount Vernon, NY 10552 in the United States Patent and Trademark Office until a change of address paper was filed on December 1, 2000.
2. I telephoned Examiner Betelhem Shewareged, the Examiner responsible for this application in the United States Patent and Trademark Office on February 8, 2005, and she advised me that the case had been abandoned for failure to pay the final fee.
3. Immediately after the receipt of the allegation of abandonment from the Examiner, I checked my file-wrapper and found a communication from the United States Patent and Trademark Office which contained a transmittal cover sheet which appears to be a "carbon copy" (not a photocopy), a "Notice of Allowability" and an Examiner's amendment.
4. The "Notice of Allowability" form (PTO-37) that is present in the file states in the first paragraph thereof:
All claims being allowable, PROSECUTION ON THE MERITS is closed in this application. If not included herewith, (or previously mailed), a NOTICE OF ALLOWANCE and ISSUE FEE DUE or other appropriate communication will be mailed in due course.
The Notice of Allowability also stated that new formal drawings must be submitted that comply with the requirements set forth by the Patent Draftsman.
5. A set of formal drawings was sent to the United States Patent and Trademark Office on December 22, 2000 and was received by the United States Patent and Trademark Office on December 28, 2000.
6. The filing of the formal drawings is the last activity that I have a record of in my files with respect to the instant application. I have a recollection of this case because the claims were finally rejected and I had to file a supplemental amendment which, to my surprise, resulted in the allowance of the claims.
7. I unequivocally declare that I never received the papers comprising PTOL Form 85B, the Issue Fee transmittal form.
8. I further unequivocally declare that I never received the papers comprising a Notice of Abandonment.
9. It was my state of mind at the time I received the Notice of Allowability based upon similar experience with Patent Office practice, that because there were formal drawings needed, and these formal drawings had to be approved by the Examiner as well as the Patent Draftsman, the specific papers relating to payment of the issue fee would be forth-coming after Applicants' formal drawings were received and approved. Thus it did not seem strange to me that the papers associated with the payment of the Issue Fee were not included with the Notice of Allowability.

10. It is my practice immediately upon receipt of a paper from the United States Patent and Trademark Office that requires a timely response, to enter the docket number and the specific action required in the appropriate monthly calendar sheet.

11. I have no knowledge when the Issue Fee Transmittal form PTOL85B was mailed (or would have been mailed out to me) so I do not have a date when that fee was or would have been due and payable. If it were mailed in December 2000, it would have been payable in the month of March 2001; and, if it were mailed in January 2001, it would have been payable in the month of April 2001.

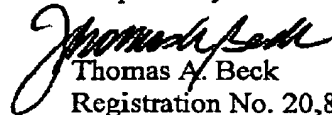
12. My docket number for the instant application is IBM-156. I enclose a copy of my calendar sheets for the months of March and April to corroborate that no such docket number is found on the enclosed sheets.

13. I also declare that I never received a Notice of Abandonment (if one was issued) from the United States Patent and Trademark Office with respect to the above-identified application.

14. The Commissioner is requested: to revive the above-identified application by withdrawing the holding of abandonment in the instant application (if issued); issue a Notice of Allowance and Fees Due form PTOL85B and charge any fees due in this matter to Deposit Account 50-0510.

FURTHER THE DECLARANT SAYETH NOT

Respectfully Submitted,



Thomas A. Beck

Registration No. 20,816

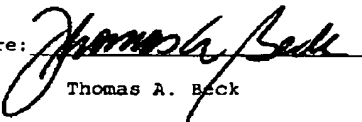
26 Rock Ledge Lane

New Milford, CT 06776

Telephone (860) 354-0892

I hereby certify that this paper is being telefaxed on the date indicated below to (703) 872-9306, addressed to Commissioner of Patents & Trademarks, Post Office Box 1450, Alexandria, VA 22313-1450

Signature:



Date: February 8, 2005

Name:

Thomas A. Beck

Day	Thursday	Friday	Saturday
	1 060/305	2 061/304	3
066/299	8 067/298	9 07/093, 049 TBM 202 DUE 1 MONTH EXTENSION 068/297	10
073/292	15 074/291 DEPART FOR London	16 075/290	17 St. Pat
080/285	22 081/284 08/115, 422 TBM 198 DUE FINAL - RETURN FROM LONDON	23 082/283	24
087/276	29 088/277	30 089/276	31
56 DUE			
08/115, 406 DUE			

MARCH 2001

To C

laples.com

Thursday	Friday	Saturday
060/306	081/304	082/303
	2	3
067/298	069/297	069/296
	9 09/093,019 TBM 202 DUE 1 MONTH EXTENSION	10
074/291	075/290	076/289
DEPART FOR LONDON	16	17 St. Patrick's Day (Ireland, US)
081/284	082/283	083/282
08/115, 422 TBM 198 DUE FINAL - TURN FROM LONDON	23	24
088/277	089/276	090/275
	30	31

4	063/302	5	064/301	6 02/112, 573 IBM 130 DUE FEGER IBM 183 DUE ANGELOPOLIS - 09/208, 528
11	070/295	12	071/294	13
18	077/288	19	078/287	20 IBM 311 Fonds cap due for filing - OK FILE
25	084/281	26	085/280	27
Mothering Sunday (United Kingdom)		08/632, 583		
		IBM 127 DUE		

January February

SMTWTFS	SMTWTFS
1 2 3 4 5 6	1 2 3
7 8 9 10 11 12 13	4 5 6 7 8 9 10
14 15 16 17 18 19 20	11 12 13 14 15 16 17
21 22 23 24 25 26 27	18 19 20 21 22 23 24
28 29 30 31	25 26 27 28

April May - Ju

SMTWTFS	SMTWTFS	SMT
1 2 3 4 5 6 7	1 2 3 4 5	
8 9 10 11 12 13 14	6 7 8 9 10 11 12	3 4 5
15 16 17 18 19 20 21	13 14 15 16 17 18 19	10 11 12
22 23 24 25 26 27 28	20 21 22 23 24 25 26	17 18 19
29 30	27 28 29 30 31	24 25 26

06/300	7	06/299	8
			9 07/093, 019 TBM 202 DUE 1 MONTH EXT.
07/293	14	07/292	15
			DEPART FOR LONDON
07/296	21	08/295	22
			08/115, 422 TBM 198 DUE FINAL - RETURN FROM LONDON
			23
08/279	28	08/278	29
	08/426, 056 TBM 163 DUE FINAL		30
	08/115, 426 TBM 218 DUE ALLOWABLE JANU 99-164		

the
T F S
1 2
7 8 9
14 15 16
21 22 23
28 29 30

March
2001

July
S M T W T F S
1 2 3 4 5 6 7
8 9 10 11 12 13 14
15 16 17 18 19 20 21
22 23 24 25 26 27 28
29 30 31

August
S M T W T F S
1 2 3 4 5 6 7
8 9 10 11 12 13 14
15 16 17 18 19 20 21
22 23 24 25 26 27 28
29 30 31

October
S M T W T F S
1 2 3 4 5 6 7
8 9 10 11 12 13 14
15 16 17 18 19 20 21
22 23 24 25 26 27 28
29 30 31

PAGE 15/16 * RCVD AT 3/2/2007 6:09:51 PM (Eastern Standard Time) * SVR:USPTO-EFXRF-3/21 * DNIS:2738300 * CSID:1 914 664 3645 * DURATION (mm-ss):06-52

From: Donna N Dillenberger
To: tombeck.atty@mindspring.com
Date: 2/18/2007 8:14:49 AM
Subject: Re: YOR920000359US2

With respect to the Action Office's Claim Rejections 3 to 9 starting s starting on page 5 of the 2nd PDF below.

- 1) The difference between Unger's patent (6,275,985) and ours is that our application does not require
- Proxy objects
 - Two Compiler passes to (1) create proxy objects and then (2) Create stack maps

Unger's Patent in Figure 7: requires traversing the proxy area (left column below) in the first compile pass and in the 2nd compile pass, creating a stack map and traversing each frame in the stack map (right column below).

**LOOK IN PROXY AREA FROM START TO
FREE POINTER, IF WORD POINTS INSIDE
APPLICATION HEAP AND IT IS NOT ON
FREE LIST, RETURN ADDRESS OF WORD**

**TRAVERSE STACK, FOR EACH FRAME
TRAVERSE STACK MAP AND RETURN
LOCATIONS OF POINTERS**

Our invention does not require a proxy area or a stack map nor double compile passes. Pointers do not have to be checked nor frames traversed. Garbage collection for our transient heap involves zeroing the entire transient heap. No double compile passes are required.

With respect to the Action Office's Claim Rejections 10 to 13 starting on on the bottom of page 9 of the 2nd PDF below.

- 1) The difference between Printzel's patent (6,249,793) and ours is that our application does not require
- Reserve Copy locations
 - Write Barriers
 - That the program be suspended during garbage collection

All above required points are depicted in Figure 9 of above patent.

With respect to the Action Office's Claim Rejections 14 to 13 starting on page 11 of the 2nd PDF below.

- 1) The difference between Van Hoff's patent (5,950,008) and ours is that:
- Van Hoff's Invention describes the use of class loaders to fetch object classes (figures 5,6 in patent).

Our patent is concerned with serially reusing the same JVM. We do not claim a new method of creating class loaders.

Donna
914 784 7108

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.